

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**SHAWN AVERY HOBSON,** : **CIVIL ACTION NO. 1:17-CV-205**  
: **Plaintiff** : **(Chief Judge Conner)**  
: **v.** :  
**MICHAEL HARRIS, *et al.*,** :  
: **Defendants** :

**ORDER**

AND NOW, this 26th day of June, 2017, upon consideration of the report (Doc. 16) of Magistrate Judge Martin C. Carlson, issued following comprehensive review of the amended complaint (Doc. 12) of *pro se* plaintiff Shawn Avery Hobson (“Hobson”) pursuant to 28 U.S.C. § 1915(e)(2)(B), wherein Judge Carlson recommends that the court dismiss Hobson’s supervisory liability claims against defendants Town of Bellefonte and State Police Unit G, but allow Hobson’s claims against defendant Michael Harris, a Pennsylvania State Police trooper, to proceed, and it appearing that no party has objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d at 878; see also Taylor v. Comm’r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int’l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa.

2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following independent review of the record, the court being in full agreement with Judge Carlson’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 16) of Magistrate Judge Carlson is ADOPTED.
2. Hobson’s amended complaint (Doc. 12) is DISMISSED with prejudice as to all claims against defendants Town of Bellefonte and State Police Unit G.
3. Hobson shall be allowed to proceed on his claims against defendant Michael Harris.
4. The United States Marshal is directed to SERVE Hobson’s amended complaint (Doc. 12) on the remaining defendant.
5. This matter is REMANDED to Magistrate Judge Carlson for further proceedings, including disposition of Hobson’s pending motion (Doc. 11) “for preservation of video.”

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania